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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/364,370	07/30/1999	TOM THUAN CHEUNG	ST9-99-077/P70-42971	9357
23373	7590	05/17/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				HO, ANDY
ART UNIT		PAPER NUMBER		
		2194		

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/364,370	CHEUNG, TOM THUAN	
<b>Examiner</b>	<b>Art Unit</b>		
Andy Ho	2194		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 08 February 2005.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-30 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-30 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

### **DETAILED ACTION**

1. In view of the appeal brief filed on 2/8/2005, PROSECUTION IS HEREBY REOPENED. Responsive to Applicant's arguments, new grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Claims 1-30 have been examined and are pending in the application.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim language in the following claims is not clearly understood:

(i) As to claim 1, it is unclear whether “a computer” (line 8) refers to “a computer” (line 3). Correction is required.

(ii) As to claim 11, it is unclear whether “a computer” (line 8) refers to “a computer” (line 2). Correction is required.

(iii) As to claim 21, it is unclear whether “a computer” (line 10) refers to “a computer” (line 5). Correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 11-19 and 21-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Jacobs U.S Patent No. 6,710,786.

**As to claim 1,** Jacobs teaches a method of producing an output object (URL with state information, lines 3-12 column 3), the method comprising the steps of:  
receiving an input object (352, Fig. 3A), wherein the received input object contains input data and one input function (...client submits a request relating to the same operation, the client sends the URL that was previously provided by the server

which contains the state information include the identity of the client, the ID and status of the operation, what has already transpired in the operation, and any other context information associated with the operation..., lines 3-18 column 3;...a browser request in the form of a Uniform Resource Locator. The browser request serves as an identifier for a web object, for example an HTML page or an operation to be performed..., lines 63-67 column 8;...the revised browser request may include, for example, a context object that contains data required for the proper operation of the cartridge. The data required for proper operation of a cartridge may include, for example, a transaction ID that identifies a transaction with which the browser request is associated..., lines 19-25 column 9) executable on a computer (280, Fig. 2);

determining a type of the received input object (determine request object type 354, Fig. 3A);

based on the determined type (does request object type match with a cartridge 356, Fig. 3A), ascertaining whether the received input object satisfies one or more predefined requirements (...if the request object type corresponds to a cartridge, the virtual path manager also indicates to the dispatcher 214 whether authentication is required..., lines 48-51 column 16); and

when it is ascertained that the received input object satisfies each predefined requirement, executing the input function on a computer (executes the request, line 4 column 18).

**As to claim 2,** Jacobs further teaches ascertaining whether the received input object satisfies one or more predefined requirements by executing one or more

verification functions (...the authenticate() routine validates whether the client requesting the services of the cartridge is authorized to use those services..., lines 20-22 column 8).

**As to claim 3,** Jacobs further teaches a source code for each verification function is located in a predefined section of a controller object source code (the revised browser request may include, for example, a context object that contains data required for the proper operation of the cartridge. The data required for proper operation of a cartridge may include, for example, a transaction ID that identifies a transaction with which the browser request is associated..., lines 19-25 column 9).

**As to claim 4,** Jacobs further teaches producing an output object by using a result produced by the executed input function (...after the second request is processed, the server updates the state information associated with the operation, and incorporates the updated state information into another URL. This URL, along with the response to the second request, is sent back to the client to be maintained by the client..., lines 22-27 column 3).

**As to claim 5,** Jacobs further teaches the received input object is received from an application (client browser 202, Fig. 2), and wherein the method further comprises the step of returning the output object to the application (...along with the response to the second request, is sent back to the client to be maintained by the client..., lines 22-27 column 3).

**As to claim 6,** Jacobs further teaches the received input object is received from a user (user of the browser, lines 31-32 column 1) and wherein the method further

comprises the step of returning the output object to the user (... along with the response to the second request, is sent back to the client to be maintained by the client..., lines 22-27 column 3).

**As to claim 7,** Jacobs further teaches receiving a plurality of input objects (multiple request operations, lines 52-55 column 2), wherein each received input object contains an input function, and wherein each input function has a predefined signature (each request contains a unique state information, lines 3-30 column 3).

**As to claim 8,** Jacobs further teaches regulating a flow of received input objects (the virtual path manager also indicates to the dispatcher 214 whether authentication is required..., lines 48-51 column 16).

**As to claim 9,** Jacobs further teaches storing some of the received input objects in a queue (... resource manager 254 maintains a queue of the requests that cannot be immediately serviced. When it becomes possible to service a queued request, the request is removed from the queue and processed..., lines 23-28 column 14).

**As to claims 11-19,** they are apparatus claims of claims 1-9, respectively. Therefore, they are rejected for the same reasons as claims 1-9 above.

**As to claims 21-29,** they are computer product claims of claims 1-9, respectively. Therefore, they are rejected for the same reasons as claims 1-3 above.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2194

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10, 20 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs in view of Nakai U.S Patent No. 6,253,248.

**As to claim 10**, Jacobs does not explicitly teach returning the object and requesting to resend the object. Nakai teaches returning the object (the request fails, lines 30-43 column 13); requesting the sender (requests the client 107, line 40 column 13) to re-send (to resend the request, line 41 column 13) at a later time (1213, Fig. 14). It would have been obvious to apply the teachings of Nakai to the system of Jacobs because if there is a failure in the transaction, the client has to resend the request to the server as disclosed by Nakai (lines 30-44 column 13).

**As to claim 20**, it is an apparatus claim of claim 10. Therefore, it is rejected for the same reason as claim 10 above.

**As to claim 30**, it is a computer product claim of claim 10. Therefore, it is rejected for the same reason as claim 10 above.

### ***Response to Arguments***

6. Applicant's arguments filed 2/8/2005 have been fully considered but are moot in view of the new ground(s) rejection.

Applicant's arguments presented issues which required the Examiner to further view the previous rejection. The Examiner conducted a further search regarding the

issues mentioned in Applicant's response. Therefore, all arguments regarding the cited references of the previous rejection are moot in view of the new grounds of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 872 - 9306.
- OFFICIAL faxes must be signed and sent to (703) 872 - 9306.
- NON OFFICIAL faxes should not be signed, please send to (571) 273 – 3762

  
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